

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

USA

vs.

(1) JOSE CARLOS ESPARZA-LOZOYA

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Case Number: EP:24-M -01029(1) MAT

ORDER SETTING PRELIMINARY / DETENTION HEARING

IT IS HEREBY ORDERED that the above entitled and numbered case is set before the **HONORABLE U.S. MAGISTRATE MIGUEL A. TORRES** for **PRELIMINARY / DETENTION HEARING**, March 13, 2024 at 09:00 AM in Magistrate Courtroom, Room 712 on the 7th Floor of the United States Courthouse, 525 Magoffin Avenue, El Paso, TX.

In accordance with Federal Rule of Criminal Procedure 5(f), as amended by the Due Process Protections Act, Pub. L.No. 116-182, 134 Stat. 894 (Oct. 21, 2020), the Government is hereby notified of and ordered to comply with (1) the prosecutor's disclosure obligations under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, and (2) the possible consequences of violating the Order, which may include sanctions such as delay of trial or other proceedings, the exclusions of evidence, the giving of adverse jury instructions, the grant of new trial, the dismissal of an action, or finding in contempt.

IT IS FURTHER ORDERED that the Clerk of Court shall send a copy of this order to the defendant, counsel for defendant, the United States Attorney, U.S. Pretrial Services, United States Probation Office, and any surety or custodian, if applicable. Further, counsel for the defendant shall notify the defendant of this setting. If the defendant is on bond, he/she shall be present.

IT IS SO ORDERED this **03/08/2024**.



**LEON SCHYDLOWER
UNITED STATES MAGISTRATE JUDGE**

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
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USA

vs.

(1) JOSE CARLOS ESPARZA-LOZOYA

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NO: EP:24-M -01029(1) MAT

**WAIVER OF PRELIMINARY HEARING
AND/OR DETENTION HEARING**
(Rule 5 or 32.1, Fed.R.Crim.P.)

Preliminary Hearing

I, (1) JOSE CARLOS ESPARZA-LOZOYA, charged in a complaint pending in this District, and having appeared before this court and been advised of my rights as required by Rule 5 or Rule 32.1, Fed. R. Crim. P., including my right to have a preliminary hearing, do hereby waive (give up) my right to a preliminary hearing.

Yo, (1) JOSE CARLOS ESPARZA-LOZOYA, el inculpado en una acusacion pendiente en este Distrito, he comparecido ante este Tribunal y me han informado de mi derecho a una audiencia preliminar, cumpliendose con el reglamento 5 0 32.1 de los Reglamentos de Procedimiento Penal Federal, por este medio renuncio a (abandono) mi derecho a una audiencia preliminar.

DEFENDANT

Detention Hearing

I have also been advised of my right to a detention hearing. I have been advised that, at a detention hearing, the court will hear evidence to determine whether I should be held in jail without bond or whether a bond should be set for me. I have been advised that, if I waive (give up) my right to a detention hearing, I will be held in jail without bond while I wait for my trial. I hereby waive (give up) my right to have a detention hearing.

Tambien me han informado de mi derecho a una audiencia para fijar fianza. Me han informado que en la audiencia para fijar fianza, el juez recibira pruebas parar poder determinar si seguire detenido sin fianza, o si me fijaran fianza. Me han informado que si renuncio (abandono) mi derecho a una audiencia para fijar fianza, seguire detenido sin fianza hasta que se me someta a juicio. Renuncio (abandono) mi derecho a una audiencia para fijar fianza.

DEFENDANT

DATE

COUNSEL FOR DEFENDANT